IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 757 of 2006

IN

APPEAL FROM ORDER St.No.17083 of 2006

M/s.A.G. Developers .. Applicant

versus

Rao & Associates & Anr. .. Respondents

...

Mr.S.M. Gorwadkar for the applicant.

Mr.K.K. Tated for respondent no.1.

CORAM : D.G. KARNIK, J

DATED : 6th December 2006

P.C.:

1. Heard counsel for the applicant and respondent no.1. None present for the respondent no.2 though served. No affidavit in reply is filed. Hence averments made in the application are deemed to be admitted. The delay is not substantial and is of about two months.

2. For the reasons stated in paragraph no.12(a) of the civil application, delay is condoned and civil application is allowed in terms of prayer clause (a).

(D.G. KARNIK, J)